

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MARCH 2, 1977

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, March 2, 1977 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - KATNICH, KATZAKIAN,
PINKERTON and
HUGHES (Mayor)

Absent: Councilmen - EHRHARDT

Also Present: City Manager Glaves, Assistant
City Manager Glenn, Public Works Director
Ronsko, Community Development Director
Schroeder, City Attorney Mullen and City Clerk
Reimche.

INVOCATION

The invocation was given by Reverend Harvey
Wilkie, Temple Baptist Church.

PLEDGE

Mayor Hughes led the Pledge of Allegiance to the
flag.

MINUTES

On motion of Councilman Pinkerton, Katnich
second, the Minutes of February 16, 1977 were
approved as written and mailed.

Following inquiry and discussion, it was deter-
mined by City Attorney Mullen that neither
Councilman Katzakian nor Councilman Pinkerton
needed to abstain from discussion and voting on
the Public Hearing concerning the request to pre-
zone a 6.27 acre parcel between Victor Road and
Mounce Street, East of 1220 Victor Road to M-2,
Heavy Industrial.

PUBLIC HEARINGS

6.27 ACRE PARCEL
BETWEEN VICTOR
ROAD & MOUNCE ST.
EAST OF 1220
VICTOR ROAD
PREZONED M-2,
HEAVY INDUSTRIAL

Notice thereof having been published in accor-
dance with law and affidavit of publication being
on file in the office of the City Clerk, Mayor
Hughes called for the public hearing to consider
the City Planning Commission's recommendation
for approval of the request of Lodi Door and Metal
Company, Inc. by Mr. Dan Anderson for the pre-
zoning of a 6.27 acre parcel between Victor Road
and Mounce Street, east of 1220 Victor Road to
M-2, Heavy Industrial.

ORD. NO. 1098
INTRO.

Community Development Director Schroeder intro-
duced the matter and a diagram of the proposed
prezoning was presented for Council's scrutiny.

Speaking on behalf of the proposed prezoning was:

Mr. Daniel Anderson
1500 Edgewood Drive
Lodi, California

PUBLIC HEARINGS (Contd)

PREZONE 6.27
ACRE PARCEL

ORD. NO. 1098
INTRO. (Contd.)

11-58-01

Minutes of March 2, 1977, continued

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Councilman Pinkerton asked that the record show that the City has a phasing plan and unless "we" stay with it, "we" should throw it out.

Following discussion on the matter, Councilman Katnich moved introduction of Ordinance No. 1098 rezoning a 6.27 acre parcel between Victor Road and Mounce Street, east of I220 Victor Road to M-2, Heavy Industrial. The motion was seconded by Councilman Katzakian and carried by the following vote:

Ayes: Councilmen - Katnich, Katzakian,
Pinkerton and Hughes

Noes: Councilmen - None

Absent: Councilmen - Ehrhardt

M-1, LIGHT
INDUSTRIAL DISTRICT
AMENDED

ORD. NO. 1099
INTRO.

11-58-01

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Hughes called for the public hearing to consider the City Planning Commission's recommendation that the M-1, Light Industrial District be amended to eliminate the requirements for (a) a 20-foot front yard, (b) two 10-foot side yards, and (c) a 10-foot rear yard.

There being no persons in the audience wishing to speak either in favor of or in opposition to the matter, the public portion of the hearing was closed.

Following Council discussion on the matter, Councilman Katzakian moved introduction of Ordinance No. 1099 amending the M-1, Light Industrial District to eliminate the requirements for (a) a 20-foot front yard, (b) two 10-foot side yards, and (c) a 10-foot rear yard. The motion was seconded by Councilman Katnich and carried by the following vote:

Ayes: Councilmen - Katnich, Katzakian,
Pinkerton and Hughes

Noes: Councilmen - None

Absent: Councilmen - Ehrhardt

Minutes of March 2, 1977, continued

PLANNING COMMISSION

ITEMS OF INTEREST

The City Manager gave the following report of the Planning Commission's meeting of February 28, 1977:

10:35

The Planning Commission -

1. Amended the previously-approved Tentative Map of Sturla Park Subdivision, a 4.5-acre, 20-lot tract located between South Ham Lane and South Fairmont Avenue, north and south of the future extension of West Tokay Street by approving Lots 6 and 7 with the conditions as previously established.

These two lots had been excluded from the subdivision approval pending a final determination on the future extension of South Sunset Drive.

2. Approved the request of Mr. Leon Perlegos to extend for 18 months a Use Permit granted on August 25, 1975 to allow construction of an off-street parking lot at 1332 South Hutchins Street in an area zoned R-MD, Medium Density Multiple Family Residential to be used as additional parking for Save-Mart Foods at 1340 South Hutchins Street with the conditions as previously established.

3. Approved the request of Mr. Oskar Hess for a Variance to reduce the required front yard from 25 feet to 20 feet at 1041 South Hutchins Street to permit the erection of a six-unit apartment house in an area zoned R-MD, Medium Density Multiple Family Residential.

Community Development Director Schroeder apprised the Council that Claude C. Wood Co. has applied to the County to excavate and fill in an excavation pit located at the end of Myrtle Road in the vicinity of Guild Winery. The Planning Commission recommended approval of the request.

COMMUNICATIONS

RES. NO. 4325

APPROVING
ANNEXATION OF
LODI DOOR &
METAL ADDITION
TO CITY OF LODI

11:30

San Joaquin County Local Agency Formation Commission Resolution 319 approving the Lodi Door and Metal Addition to the City of Lodi was received and presented by the City Clerk indicating that the Executive Officer of the San Joaquin County Local Agency Formation Commission certified the filing of an application with the Commission for said annexation on January 12, 1977. The petition for annexation of Uninhabited Territory signed by all property owners involved is on file in the Office of the City Clerk.

The Resolution goes on to direct that the City Council of the City of Lodi is authorized to proceed without notice and hearing and without an election as provided in Section 54797.1 of the Government Code. Resolution No. 319 was passed and adopted by the San Joaquin County Local Agency Formation Commission on February 18, 1977.

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LODI DOOR & METAL
ADDN. ANNEXATION
RES. NO. 4325(Contd)

11-10

On motion of Councilman Katzakian, Katnich second, Council adopted Resolution No. 4325 approving the annexation of certain uninhabited territory, designated "Lodi Door and Metal Addition" to the City of Lodi.

CLAIM

11-4(c)

City Clerk Reimche presented a Claim which had been filed on behalf of Mary E. Kertzman, 116 Spruce Street, Galt, California for personal injuries, (1) general damages according to proof; (2) Medical expenses incurred and to be incurred according to proof; (3) Cost of suit according to proof; and (4) such other and further relief as the Court may deem proper.

On motion of Councilman Katnich, Pinkerton second, the Claim was rejected and referred to the City's Agent of Record.

INVITATION REC'D
FOR GROUNDBREAK-
ING OF SUNSHINE
TRAIL GARDEN FOR
THE BLIND

11-5

The City Clerk presented an invitation which had been received from the Soroptimist International of Lodi to attend the ground-breaking ceremony of the Sunshine Trail-Garden for the Blind on Friday, March 25, 1977 at the Micke Grove Memorial Building.

COMPLAINT RE
PLANNING
COMMISSION

11-32

The City Clerk presented a letter which had been received from Donald L. Ewing, 816 Tilden Drive, Lodi thanking the Council for the public hearing on the matter of the proposed rezoning of 4.3 acres referred to as Westwood located between Cochran Road and West Vine Street, but stating he feels the opposition to this rezoning was dealt with unfairly during the January 24th meeting with the City Planning Commission. Mr. Ewing asks that there be a public hearing on the matter of the "City Planning Commission's failure to properly execute their duties in connection with this request for rezoning." The City Clerk was directed to correspond with Mr. Ewing asking for specifics on the allegations contained in his February 21, 1977 letter.

ABC LICENSE
APPLICATIONS

City Clerk Reimche presented the following applications for Alcoholic Beverage License which had been received:

(a) The Winery, 548 S. Sacramento St., Lodi, Oscar B. and Sandralee C. Logan, On Sale Beer and Wine, Public Premises, Person to Person transfer.

(b) Del Monte Club, 121-23 N. Cherokee Lane, Lodi, Robert A. Trowbridge, On Sale General Public Premises, Exchange to License Type 48.

BIRTHDAY WISHES
EXTENDED TO MRS.
KATE BOYD ON HER
104th BIRTHDAY

Birthday wishes were extended by the Council to Mrs. Kate Boyd who will be celebrating her 104th birthday on March 5, 1977.

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USE OF PLACE CARD Mayor Hughes presented a copy of a letter
PROPOSED TO addressed to President Carter from
CONSERVE WATER BY Restaurateur Mr. Dick DeGrande of "the
LOCAL RESTAURAN- Cosmopolitan" with a place card he is pro-
TEUR posing to use in an effort to conserve water
 in this area.

REPORTS OF CITY MANAGER

CONSENT CALENDAR In accordance with the report and recommenda-
 tion of the City Manager, the following actions
 hereby set forth between asterisks, on motion of
 Councilman Pinkerton, Katnich second, were
 approved by Council:

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF
 \$351,446.87.

City Manager Graves apprised the Council that
the City acquired the Well 17 property as an
undeveloped parcel some time ago. The parcel
is now being developed in conjunction with the
development of SUNWEST Unit No. 2 Subdivision,
and in order to conform to standards in the area
for placement of utilities, Pacific Gas and
Electric Company has required an easement as
depicted on an illustration presented for Council's
scrutiny.

DEED OF EASEMENT RESOLUTION NO. 4326
TO P.G. & E.

RES. NO. 4326 RESOLUTION DEDICATING A DEED OF
 EASEMENT TO PACIFIC GAS AND ELECTRIC
 COMPANY FOR INSTALLATION OF FACILITIES
 ON WELL 17 PROPERTY.

LOADING, UNLOADING The City Manager apprised the Council that the
ZONE, AND NO Lodi Unified School District has informed the
PARKING ZONES City that the School District has relocated several
ESTABLISHED IN offices and storage areas to Needham School and
VICINITY OF that this relocation has generated a need for a
NEEDHAM SCHOOL loading and unloading zone in the vicinity of
 Needham School. It is also recommended that the
 areas not needed for adequate on-street parking
RES. NO. 4327 be utilized to provide additional sight distances
 adjacent to the school crosswalks and at the
 Chestnut Street intersection.

RESOLUTION NO. 4327

RESOLUTION ESTABLISHING LOADING,
UNLOADING, AND "NO PARKING" ZONES ON
SOUTH CHURCH STREET IN VICINITY OF
NEEDHAM SCHOOL

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"NO PARKING"
ZONES ESTABLISHED
ON HAM LANE AT
OAK STREET

RES. NO. 4328

Council was advised that when vehicles are parked to the curb returns on Ham Lane, drivers stopped on Oak Street do not have a clear and unobstructed view of traffic on Ham Lane and it was Staff's recommendation that Council establish "No Parking" zones on Ham Lane at Oak Street which would be designed to give the Oak Street driver a clear view of traffic for a safe sight distance of approximately 100 feet.

RESOLUTION NO. 4328

RESOLUTION ESTABLISHING "NO PARKING"
ZONES ON THE WEST SIDE OF HAM LANE
FROM 65 FEET SOUTH OF THE CENTERLINE
OF OAK STREET TO 70 FEET NORTH OF THE
CENTERLINE OF OAK STREET.

EXPERIMENTAL
TREE FARM AT
W.S.W.P.C.P.
SITE APPROVED

Council was apprised that the City has received a proposal from the Chapman Forestry Foundation for an experimental tree farm which will evaluate the feasibility of growing eucalyptus trees for wood pulp using plant effluent. It is proposed that this operation be located on a 13-acre site south of the existing White Slough Water Pollution Control Plant facility. This site is an area which is not now under lease and should not be affected by any future plant expansion. The location has paved access and all the facilities for providing the necessary effluent are already existing. The Chapman Forestry Foundation is willing to pay a rental of \$42.00 per acre.

Mr. A. Dale Chapman, President of the Chapman Forestry Foundation was in the audience and answered questions as directed by Council regarding the proposal.

Following discussion, on motion of Councilman Katnich, Pinkerton second, Council approved proposal for an experimental Tree Farm at the White Slough Water Pollution Control Plant site as presented by the Chapman Forestry Foundation, directed the City Attorney to prepare an agreement on the project, and authorized the City Manager to execute said Agreement on behalf of the City.

WATER
CONSERVATION
PROGRAM ADOPTED

RES. NO. 4329

Following introduction of the matter by City Manager Graves, Administrative Aide John Abernethy outlined detail for implementing a proposed Water Conservation Program for the City of Lodi. Information on the City's dropping underground water table was given by Mr. Richard Prima, Junior Civil Engineer.

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WATER
CONSERVATION
PROGRAM ADOPTED
RES. NO. 4329(Contd)

Council was apprised that for maximum long-range effectiveness, this program will emphasize a thorough and sustained public information program. The program will be directed to all water users within the City of Lodi and recognizes the importance of voluntary cooperation and acceptance. The goal of a 30% reduction in water use has been determined as a result of the City's first two-month experience in 1977 (a 20% reduction) and the County's goal of 25%. It was also recommended that a Water Conservation Committee be appointed by the Council from a list of interested local citizens to advise and coordinate the efforts of volunteer groups and organizations.

City Manager Graves apprised the Council that he had received a letter from Eugene T. Gualco, Chairman, State Assembly Committee on Water and Ruben S. Ayala, Chairman, Senate Committee on Agriculture and Water Resources with Assembly Concurrent Resolution No. 16 attached, requesting all local water purveyors to immediately evaluate their water supplies and needs and to institute all appropriate water conservation methods that would assist their area, as well as other areas. The Governor, according to the letter, has requested that all urban areas undertake a voluntary 25% reduction in water use.

Mayor Hughes asked for a staff report on information regarding swimming pool water usage, evaporation, etc.

Following discussion with questions regarding the proposed plan being directed to Staff, Council, on motion of Councilman Katnich, Katzakian second, adopted Resolution No. 4329 establishing a Water Conservation Program for the City of Lodi and authorized expenditures of \$1,000 toward implementing this program.

GARBAGE
ORDINANCE
AMENDMENT

ORD. NO. 1100
INTRO.

City Manager Graves presented for Council approval a proposed garbage ordinance amendment as prepared by the City Attorney. Discussion followed on the matter, with questions being posed by the Council to Staff.

Councilman Katzakian then moved introduction of Ordinance No. 1100 entitled "An Ordinance Repealing Section 11-5 of the City Code of the City of Lodi, amending Section 11-2, and Section 11-9 of Chapter 11 of the City Code entitled 'Garbage and Rubbish', thereby requiring commercial establishments to use the services of the City's Franchise Garbage Collector and authorizing collection bins for multiple family dwellings." The motion was seconded by Councilman Katnich and carried by the following vote:

Ayes: Councilmen - Katnich, Katzakian, Pinkerton and Hughes

Noes: Councilmen - None

Absent: Councilmen - Ehrhardt

Minutes of March 2, 1977, continued

MAIN ST.
ESTABLISHED AS
STREET WHICH
YIELDS TO
LOCUST ST.

RES. NO. 4330

The Locust and Main Street Traffic Investigation as prepared by Staff was presented for Council's scrutiny. Public Works Director Ronsko pointed out that the accident frequency and accident severity at this intersection is extremely high and that YIELD signs are warranted under Condition No. 5 for Warrants for Yield Signs which states "At any intersection where a special problem exists and where an engineering study indicates the problem to be susceptible to correction by use of the YIELD sign."

On motion of Councilman Pinkerton, Katzakian second, Council adopted Resolution No. 4330 establishing Main Street as a street which yields to Locust Street.

CALIFORNIA/
TURNER RD. STUDY
AVAILABLE TO
PUBLIC
EXAMINATION

Mayor Hughes stated that the study on California/ Turner Road as prepared by staff has been completed and it is available to anyone interested in seeing it.

RADIOS FOR
VACUUM SEWER
LINE CLEANER
APPROVED

Following introduction of the matters by City Manager Graves, on Motion of Councilman Katzakian, Katnich second, Council approved Special Allocation in the sum of \$3,410 to purchase one mobile radio and one portable radio for the Vacuum Sewer Line and Catch Basin Cleaner.

REPLACEMENT OF
WACKER TAMPER
APPRVD.

Councilman Katzakian then moved to approve Special Allocation in the sum of \$1,460 to replace a 1963 wacker tamper. The motion was seconded by Councilman Katnich and carried.

CHEROKEE LANE
STREET LIGHTING

City Manager Graves presented an update report prepared by Staff on Cherokee Lane Street Lighting in response to an inquiry received from Mrs. Elsie Flower.

It appears that the petition being circulated by Mr. Richard Sanborn for street lights covering an area from the north freeway exit, south to Kettleman Lane, has of this date been signed by owners of only 48.91% of the front footage. It appears that efforts by the committee to obtain the required 60% is presently stalled.

GENERAL PLAN
LAND USE ELEMENT
AMENDMENT

Councilman Katzakian asked to abstain on voting on the adoption of Ordinance No. 1096 and 1097 as the company with which he is associated is purchasing and developing the property.

ORD. 1096 ADOPTED

Ordinance No. 1096 entitled "An Ordinance of the City of Lodi Amending the General Plan Land Use Element" by the extension of the Commercial-Professional designation to Ham Lane, north and south of the future extension of West Tokay Street, having been introduced at a regular meeting of the Lodi City Council on February 16, 1977, was brought up for passage on motion of Councilman Katnich, Pinkerton second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

Minutes of March 2, 1977, continued

ORD. 1096 ADOPTED
(Contd.)

Ayes: Councilmen - KATNICH, PINKERTON,
and HUGHES

Noes: Councilmen - None

Abstain: Councilmen - KATZAKIAN

Absent: Councilmen - EHRHARDT

ORD. TO REZONE
1/2 OF 4.5 ACRE
PARCEL BETWEEN
S. FAIRMONT &
S. HAM (i.e. 621 S,
FAIRMONT)

Ordinance No. 1097 entitled "An Ordinance amending the Official District Map of the City of Lodi and thereby rezoning the west one-half of a 45-acre parcel located between South Fairmont Avenue and South Ham Lane north and south of the future extension of West Tokay Street (i.e., 621 South Fairmont Avenue) from R-GA, Garden Apartment Residential to C-P, Commercial-Professional" having been introduced at a regular meeting of the Lodi City Council on February 16, 1977, was brought up for passage on motion of Councilman Katnich, Pinkerton second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted and ordered to print by the following vote:

ORD. NO. 1097
ADOPTED

Ayes: Councilmen - KATNICH, PINKERTON,
and HUGHES

Noes: Councilmen - None

Abstain: Councilmen - KATZAKIAN

Absent: Councilmen - EHRHARDT

APPRECIATION
EXPRESSED BY
MAYOR HUGHES

Mayor Hughes expressed his appreciation to the Council, Staff and citizens of Lodi for the assistance and cooperation extended to him as Mayor during the past year.

REORGANIZATION OF THE COUNCIL

The City Clerk called for nominations for Mayor. On motion of Councilman Katnich, Pinkerton second, Councilman Katnich was nominated for Mayor. There being no further nominations, the nominations were closed on motion of Councilman Pinkerton, Katnich second, and Councilman Katnich was elected Mayor.

Mayor Katnich then called for nominations for Mayor Pro Tempore. On motion of Councilman Hughes, Katnich second, Councilman Pinkerton was then nominated for Mayor Pro Tempore. There being no further nominations, the nominations were closed and Councilman Pinkerton was elected Mayor Pro Tempore.

ADJOURNMENT

There being no further business, on motion of Mayor Pro Tempore Pinkerton, Councilman Katnich second, the meeting was adjourned by Mayor Katnich at approximately 10:03 p.m.

Attest: *Alice M. Reimche*
ALICE M. REIMCHE
City Clerk